

131 Stephens Street
Benton, TN 37307

POLK COUNTY SCHOOLS
TECH DEPARTMENT

Phone 423-338-4506
Fax. 423-338-2691
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Mobile: 423-650-7906

FAX COVER SHEET

SEND TO: FCC	FROM: LAURA BARNETT
ATTENTION: MARLENE DORTCH	OFFICE LOCATION:
OFFICE LOCATION:	DATE: 04/04/2007
FAX NUMBER: 202-418-0187	PHONE NUMBER:

☒ URGENT ☐ DEFERRED ☐ PLEASE COMMENT ☐ PLEASE REVIEW ☐ FOR YOUR INFORMATION

Total pages, including cover: 25

COMMENTS:

This is an appeal for our denial of funding for telecommunications services in FY 2006.
Thank you for your time and attention.
LB

APR 04 2007

FCC - MAILROOM



POLK COUNTY SCHOOLS

Polk County Department of Education

James R. Jones, Director of Schools

P.O. Box 665

Benton, TN 37307

(423) 338-4506

Fax (423) 338-2691

RECEIVED & INSPECTED

APR 04 2007

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Mariene H. Donch, Secretary
Federal Communications Commission
Office of the Secretary
445 12th Street SW
Washington, DC 20554

RE: Form 471 Application Number: 524456
Billed Entity Number: 128269 Polk County School District
Applicant's Form Identifier: 7009-1
Contact: Laura Barnett
Polk County Department of Education
P.O. Box 665
Benton, TN 37307
423-338-4506
Fax: 423-338-2691
Email: barnettl@ok12tn.net

In reference to CC Docket No. 02-6 and No. 96-45, we are appealing the denial of funding for our telecommunication services for FY 2006, included is all the documentation necessary to support our appeal. I am available to answer any questions you may have or provide any more information that you might need.

Thank you for your time and attention to this matter

Laura Barnett
Supervisor of Technology
Polk County Department of Education
Benton, TN 37307

Supervisor of Secondary & Vocational Education
Supervisor of Special Education
Supervisor of Elementary Education, Testing, & Federal Projects
Supervisor of Maintenance & Homeschool
Supervisor of Attendance & Technology

Louetta Moats
Jean Bramlett
Jill Swafford
Tommy Frazier
Laura Barnett

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APPEAL

R E Appeal of Reduced Funding of Internet Access Service for Polk County School District

Date: July 6, 2006

Funding Commitment Report Dated 05/09/06
Applicant Name: **Polk County School District**
Form 471 Application Number: **524456**
Billed Entity Number: **128269**
Funding Request Number: **1474297**
Funding Year: **2006** (Year 9)

Appeal Request: Telephone Service FRN # **1474297** was denied by the **SLD** because a contract for new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the **SLD** website. We wish to appeal this denial based on the attached FCC Decision on Wayland Free Library (File No. 134324, DA 01-2706).

The Funding Commitment Letter explanation states:

"Modify the Contract Award Date in compliance with the contract. A Contract for a new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD Web Site."

Applicant Explanation:

Due to a clerical error, **Polk County School District** cited the wrong FCC Form 470 and contract information on Application # **524456**, Funding Request Number **1474297**. Our contract was correctly bid and a Form 470 for telecommunication services was properly posted to the SLD's website.

We would like to clarify the correct Form 470 Application number that should have been used on Form 471 Application #524456. During PIA review, our school district was contacted regarding the incorrect contract award date. The copy of the contract that was sent was a rebate award program instead of the actual contract information. The original contract was bid and a Form 470 was properly posted (Form 470 Application #337930000399003). We selected BellSouth Telecommunications, Inc. at that time and the contract was signed on January 10, 2002. The contract expiration date for this contract is June 30, 2007. Please allow us to correct the Form 470 application information and contract information as allowed in the attached November 20, 2001 FCC decision on Wayland Free Library (SLD-134324, DA 01-2706). In this FCC decision, the "SLD will grant appeals when the applicant has cited the wrong FCC Form 470 in a Funding Request Number (FRN) but did have an FCC Form 470 that supports the FRN and cites the correct FCC Form 470 in its appeal to the SLD."

Relief Requested

We request that the application be funded in full for **\$17,979.48** given that we did have a correctly posted Form 470 and followed all of the requirements.

In addition to the above, we are also available to provide any additional clarification needed. I look forward to your resolution of this appeal and am available to answer any other questions you may have. Thank you for your assistance.

Sincerely,

Laura Barnett
Technology Coordinator
Polk County School District

Contact Information:

Laura Barnett
Polk County School District
P.O. Drawer A
Benton, TN 37307
423-338-4506
barnettl@k12tn.net
Fax: 423-338-2691

Federal Communications Commission

DA 01-2706

Before the
Federal Communications Commission
Washington, DC 20554

In the Matter of

Request for Review of the
Decision of the
Universal Service Administrator by

Wayland Free Library
Wayland, New York

File No. SLD-134324

South Carolina Budget and Control Board
Office of Information Resources
Columbia, South Carolina

File No. SLD-120219

Federal-State Joint Board on
Universal Service

CC Docket No. 96-45

Changes to the Board of Directors of the
National Exchange Carrier Association, Inc.

CC Docket No. 97-21

ORDER

Adopted: November 19, 2001

Released: November 20, 2001

By the Accounting Policy Division, Common Carrier Bureau:

1. Before the Accounting Policy Division (Division) are Requests for Review filed by Wayland Free Library (Wayland), Wayland, New York, and South Carolina Budget and Control Board, Office of Information Resources (SC), Columbia, South Carolina (collectively, Petitioners).¹ Petitioners seek review of decisions by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (Administrator), denying requests for discounts under the schools and libraries universal service support mechanism for failure to satisfy the 28-day competitive bidding requirement.² For the reasons discussed below, we grant the pending Requests for Review and remand for further consideration.

¹ See Letter from Marian Crawford, Wayland Free Library, to Federal Communications Commission, filed May 9, 2000 (Wayland Request for Review); Request for Review of the Decision of the Universal Service Administrator By South Carolina Budget and Control Board, Office of Information Resources, CC Docket Nos. 96-45 and 97-21, Request for Review, filed July 12, 2000 (SC Request for Review).

² Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

Federal Communications Commission

DA 01-2706

2. Under the schools and libraries universal service support mechanism, eligible schools, libraries, and consortia that include eligible schools and libraries may apply for discounts for eligible telecommunications services, Internet access, and internal connections.³ The Commission's rules provide that, with one limited exception, an eligible school, library, or consortium must seek competitive bids for all services eligible for support.⁴ The Commission reasoned that competitive bidding would ensure fiscal responsibility and would be the best means for ensuring that eligible schools and libraries are able to receive services at the most competitive rates.⁵

3. The Commission's competitive bidding rules require that an applicant submit to the Administrator a completed FCC Form 470, in which the applicant lists the services for which it seeks discounts. The Administrator assigns each FCC Form 470 a unique identifying number, which in Funding Year 2 was called a Universal Service Control Number (USCN). The Administrator must then post the FCC Form 470 on its web site and the applicant is required to wait 28 days before making a commitment to a selected service provider.⁶ The Commission's rules provide a limited exemption from the 28-day competitive bidding requirement for applicants that have pre-existing contracts as defined by the Commission's rules; in this case, the contract need not be subjected to competitive bidding, but must still be identified in an FCC Form 470.⁷ After the FCC Form 470 has been posted for 28 days, and the applicant has selected a service provider, the applicant must submit to the Administrator an FCC Form 471, which lists the services that have been ordered, and cites the FCC Form 470 that presented the service for competitive bidding, or in the case of services based on pre-existing contracts, the FCC Form 470 that presented that contract.⁸

4. In each of the pending applications, SLD issued Funding Commitment Decision Letters, denying a funding request because it found that the request had cited an FCC Form 470

³ 47 C.F.R. §§ 54.502, 54.503.

⁴ 47 C.F.R. § 54.504(a).

⁵ *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, 12 FCC Red 8776, 9078, para. 480 (1997) (*Universal Service Order*), as corrected by *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Errata, FCC 97-157 (rel. June 4, 1997), *affirmed in part*, *Texas Office of Public Utility Counsel v. FCC*, 183 F.3d 393 (5th Cir. 1999) (affirming *Universal Service First Report and Order* in part and reversing and remanding on unrelated grounds), *cert. denied*, *Calpage, Inc. v. FCC*, 120 S. Ct. 2212 (May 30, 2000), *cert. denied*, *AT&T Corp. v. Cincinnati Bell Tel. Co.*, 120 S. Ct. 2237 (June 5, 2000), *cert. dismissed*, *GTE Service Corp. v. FCC*, 121 S. Ct. 423 (November 2, 2000).

⁶ *Schools and Libraries Universal Service, Description of Services Requested and Certification Form*, OMB 3060-0806 (FCC Form 470); 47 C.F.R. § 54.504(b); *Universal Service Order*, para. 575.

⁷ 47 C.F.R. § 54.504(b), (c); *Schools and Libraries Universal Service, Services Ordered and Certification Form*, OMB 3060-0806 (FCC Form 471).

⁸ 47 C.F.R. § 54.511(c); *Instructions for Completing the Schools and Libraries Universal Service, Services Ordered and Certification Form* (FCC Form 471), OMB 3060-0806 (December 1998) (Form 471 Instructions), i. 7.

⁹ 47 C.F.R. § 54.504(c); FCC Form 471, Block 5.

Federal Communications Commission

DA 01-2706

that did not support the request.¹⁰ Each of the *Petitioners* then appealed to SLD, informing SLD that the USCN cited in the funding request was the result of a clerical error and referring SLD to the correct FCC Form 470 USCN.¹¹ SLD denied both appeals, on the grounds that the new FCC Form 470 numbers submitted by the *Petitioners* constituted impermissible new evidence.¹² Each of the *Petitioners* then submitted a Request for Review, again referring to a USCN that allegedly supports their Funding requests.¹³

5. Under SLD's appeal review procedures, SLD will grant appeals when the applicant has cited the wrong FCC Form 470 in a Funding Request Number (FRN) but did have an FCC Form 470 that supports the FRN and cites that correct FCC Form 470 in its appeal to SLD.¹⁴ Because this procedure is applicable here, we find that SLD should have reviewed the funding requests in light of the new FCC Form 470 USCN numbers. We therefore reverse and remand the pending applications for further consideration.

6. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, and 54.722(a), that the Request for Review filed on May 9, 2000 by Wayland Free Library, Wayland, New York, IS GRANTED and this application IS REMANDED to SLD for further action consistent with this opinion.

¹⁰ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Walter A. Taylor, South Carolina Budget and Control Board, Office of Information Resources, dated August 31, 1999, at 4; Letter from Schools and Libraries Division, Universal Service Administrative Company, to Marian Crawford, Wayland Free Library, dated November 2, 1999, at 4.

¹¹ Letter from Walter A. Taylor, South Carolina Budget and Control Board, Office of Information Resources, to Schools and Libraries Division, Universal Service Administrative Company, filed September 13, 1999 (SC Appeal to SLD), at 1; Letter from Marian Crawford, Wayland Free Library, to Schools and Libraries Division, Universal Service Administrative Company, filed November 15, 1999 (Wayland Appeal to SLD), at 1.

¹² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Walter A. Taylor, South Carolina Budget and Control Board, Office of Information Resources, dated June 14, 2000, at 1; Letter from Schools and Libraries Division, Universal Service Administrative Company, to Marian Crawford, Wayland Free Library, dated April 25, 2000, at 1.

¹³ Wayland Request for Review, et al: SC Request for Review, at 1-2.

¹⁴ See Request for Review by Reg 6 & 8 SW/CTRL/W Svc Co-op, Federal-State Joint Board on Universal Service, Changes to the Board of Directors of the National Exchange Carrier Association, Inc., File No. SLD-199902, CC Dockets No. 96-45 and 97-21, Order, DA 01-2026, para. 6 (Com. Car. Bur. rel. August 29, 2001).

Federal Communications Commission

DA 01-2706

7. IT IS FURTHER ORDERED (hat the Request for Review filed on July 12, 2000 by South Carolina Budget and Control Board, Office of information Resources, Columbia, South Carolina, IS GRANTED, and this application IS REMANDED to SLD for further action consistent with this opinion

FEDERAL COMMUNICATIONS COMMISSION

Ma k G. Seifert
Deputy Chief, Accounting Policy Division
Common Carrier Bureau

Sheet1

471 Application Number	471 Form St. FRN	470 Application Num 470 Form Status	Applicant's BEN	SPIN	Service Prt Commitment Status	FCOL Comment	Fund# FCOL Date	Contract Exp Date
524458	CERTIFIED 1474287	112870000580094 CERTIFIED	POLK COL 128269	143004324	BellSouth 1NOT FUNDED	Modify the Contract Award Date in compliance with the contract. A contract for a new service was signed prior to the required 28-day waiting period computed from the date of the posting of the Form 470 to the SLD Web Site.	2006 5/9/2006	8/1/2007

Page 1

FCC Form 471	Do not write in this area.	Approval by OMB 3060-0808
Schools and Libraries Universal Service Description of Services Ordered and Certification Form 471 <small>Estimated Average Burden Hours per Response: 4 hours</small> This form asks schools and libraries to list the eligible telecommunications-related services they have ordered and estimate the annual charges for them so that the Fund Administrator can set aside sufficient support to reimburse providers for services. Please read instructions before beginning this application. (You can also file online at www.sl.universalservice.org.) The instructions include information on the deadlines for filing this application.		
Applicant's Form Identifier (Create your own code to identify THIS form 471)		Form 471 Application# (To be assigned by administrator)
7009-1		524456
Block 1: Billed Entity Information (The "Billed Entity" is the entity paying the bills for the service listed on this form.)		
1 a	Name of Billed Entity POLK COUNTY SCHOOL DISTRICT	
2 a	Funding Year: July 1, 2006 Through June 30: 2007 Billed Entity Number: 128269	
4 a	Street Address, P.O. Box, or Routing Number SCHOOL DRIVE	
	City BENTON	
	State TN Zip Code 37307	
5 a	Type of Application <input type="checkbox"/> Individual School (individual public or non-public school) <input checked="" type="checkbox"/> School District (LEA: public or non-public (e.g. diocesan) local district representing multiple schools) <input type="checkbox"/> Library (including library system, library outlet/branch or library consortium as defined under LSTA) <input type="checkbox"/> Consortium <input type="checkbox"/> Check here if any members of this consortium are ineligible or non-governmental entities	
6	Contact Person's Name Laura Barnett	
First, if the Contact Person's Street Address is the same as in Item 4, check this box. If not, please complete the entries for the Street Address below.		
b	Street Address, P.O. Box, or Routing Number SCHOOL DRIVE	
	City BENTON	
	State TN Zip Code 37307	



0 4 7 0 0 1 0 1 0

Entity Number	128269	Applicant's Form Identifier	7009-1
Contact Person	Laura Barnett	Phone Number	423-338-4506

This information will facilitate the processing of your applications. Please complete all rows that apply to services for which you are requesting discounts. Complete this information on the FIRST Form 471 you file, to encompass this and all other Forms 471 you will file for this funding year. You need not complete this information on subsequent Forms 471. Provide your best estimates for the services ordered across ALL of your Forms 471.

Schools/school districts complete Item 7. Libraries complete Item 8. Consortia complete Item 7 and/or Item 8.

Block 2: Impact of Services Ordered on Schools

IF THIS APPLICATION INCLUDES SCHOOLS...		BEFORE ORDER	AFTER ORDER
7a	Number of students to be served		2608
b	Telephone service: Number of classrooms with phone service	13	13
f	Number of classrooms with Internet access	163	163
g	Number of computers or other devices with Internet access	784	824

Block 3 Impact of Services Ordered on Libraries

NOT APPLICABLE AS THIS APPLICATION IS FOR DISTRICT

Worksheet A No: 791124

Student Count: 2419

Weighted Product (Sum. Column 8): 1915.2

Shared Discount: 79%

1. School Name: BENTON ELEMENTARY SCHOOL

2. Entity Number: 41255 NCES: 47 03450 01440

3. Rural/Urban: Rural

4. Student Count: 319

5. NSLP Students: 202

6. NSLP Students/Students: 63.322%

7. Discount: 80%

8. Weighted Product: 255.2

9. Pre-K/Adult Ed/Juv:

10. Alt Disc Mech:

1. School Name: CHILHOWEE MIDDLE SCHOOL

2. Entity Number: 229559 NCES: 47 03450 01444

3. Rural/Urban: Urban

4. Student Count: 404

5. NSLP Students: 287

6. NSLP Students/Students: 71.039%

7. Discount: 80%

8. Weighted Product: 323.2

9. Pre-K/Adult Ed/Juv:

10. Alt Disc Mech:

1. School Name: COPPER BASIN ELEMENTARY SCHOOL

2. Entity Number: 16035111 NCES: 47 03450 02069

3. Rural/Urban: Rural

4. Student Count: 404

5. NSLP Students: 306

6. NSLP Students/Students: 75.742%

7. Discount: 90%

8. Weighted Product: 363.6

9. Pre-K/Adult Ed/Juv:

10. Alt Disc Mech:

1. School Name: COPPER BASIN HIGH SCHOOL

2. Entity Number: 41283 NCES 47 03450 01440

3. Rural/Urban: Rural

4. Student Count: 319

5. NSLP Students: 202

6. NSLP Students/Students: 63.322%

7. Discount: 80%

8. Weighted Product: 255.2

9. Pre-K/Adult Ed/Juv:

10. Alt Disc Mech:

1. School Name: POLK COUNTY HIGH SCHOOL
 2. Entity Number: 41254 NCES: 47 03450 01900
 3. Rural/Urban: Rural
 4. Student Count: 604 5. NSLP Students: 252 6. NSLP Students/Students: 41.721%
 7. Discount: 70% 8. Weighted Product: 422.8
 9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

1. School Name: SOUTH POLK ELEMENTARY SCHOOL
 2. Entity Number: 41366 NCES 47 03450 01445
 3. Rural/Urban: Rural
 4. Student Count: 359 5. NSLP Students: 197 6. NSLP Students/Students: 53.367%
 7. Discount: 80% 8. Weighted Product: 295.2
 9. Pre-K/Adult Ed/Juv: 10. Alt Disc Mech:

Block 5: Discount Funding Request(s)

FRN: 1474297 FCDL Date:	
10. Original FRN:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 112670006580094
13. SPIN: 143004824	14. Service Provider Name: BellSouth Telecommunications, Inc.
15a. Non-Contracted tariffed/Month to Month Service:	15b. Contract Number: N/A
15c. Covered under State Master Contract:	15d. FRN from Previous Year:
16a. Billing Account Number:	16b. Multiple Billing Account Numbers?:
17. Allowable Contract Date: 02/16/2006	18. Contract Award Date: 07/01/2002
19a. Service Start Date: 07/01/2006	19b. Service End Date:
20. Contract Expiration Date: 08/01/2007	
21. Attachment #: 1	22. Block 4 Worksheet No.: 791124
23a. Monthly Charges: \$1,578.54	23b. Ineligible monthly amt.: \$80.25
23c. Eligible monthly amt.: \$1,498.29	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$17,979.48	
23f. Annual non-recurring (one-time) charges: \$0.00	23g. Ineligible non-recurring amt.: \$0.00
23h. pre-discount amount for eligible non-recurring charges (23f - 23g): \$0.00	
23i. Total program year pre-discount amount (23e + 23h): \$17,979.48	
23j. % discount (from Block 4): 79	
23k. Funding Commitment Request (23i x 23j): \$14,203.79	

Block 6: Certifications and Signature

DO not write in this area.

Application ID:524456

Entity Number	128289	Applicant's Form Identifier	7009-1
Contact Person	Laura Barnett	Phone Number	423-338-4506

Block 6: Certifications and Signature

24. ☒ I certify that the entities listed in Block 4 of this application are eligible for support because they are: (check one or both)
- a. ☒ schools under the statutory definitions of elementary and secondary schools found in the No Child Left Behind Act of 2001, 20 U.S.C. Secs. 7801(19) and (38), that do not operate as for-profit businesses, and do not have endowments exceeding \$50 million; and/or
- b. ☐ libraries or library Consortia eligible for assistance from a State library administrative agency under the Library Services and Technology Act of 1996 that do not operate as for-profit businesses and whose budgets are completely separate from any schools including, but not limited to elementary, secondary schools, colleges, or universities

25. ☒ I certify that the entity I represent or the entities listed on this application have secured access, separately or through this program, to all of the resources, including computers, training, software, internal connections, maintenance, and electrical capacity, necessary to use the services purchased effectively. I recognize that some of the aforementioned resources are not eligible for support. I certify that the entities I represent or the entities listed in this application have secured access to all of the resources to pay the discounted charges for eligible services from funds to which access has been secured in the current funding year. I certify that the Billed Entity will pay the non-discount portion of the cost of the goods and services to the service provider(s).

a.	Total funding year pre-discount amount on this Form 471 (Add the entities from Item 23l on all Block 5 Discount Funding Requests.)	\$17,979.48
b.	Total funding commitment request amount on this Form 471 (Add the entities from Items 23K on all Block 5 Discount Funding Requests.)	\$14,203.79
c.	Total applicant non-discount share (Subtract Item 25b from Item 25a.)	\$3,775.69
d.	Total budgeted amount allocated to resources not eligible for E-rate support	\$135,500.00
e.	Total amount necessary for the applicant to pay the non-discount share of the services requested on this application AND to secure access to the resources necessary to make effective use of the discounts. (Add Items 25c and 25d.)	\$139,275.69
f.	<input type="checkbox"/> Check this box if you are receiving any of the funds in Item 25e directly from a service provider listed on any Forms 471 filed by this Billed Entity for this funding year, or if a service provider listed on any of the Forms 471 filed by this Billed Entity for this funding year assisted you in locating funds in Items 25e.	

26. ☒ I certify that all of the schools and libraries or library consortia listed in Block 4 of this application are covered by technology plans that are written, that cover all 12 months of the funding year, and that have been or will be approved by a state or other authorized body, and an SLD-certified technology plan approver, prior to the commencement of service. The plans are written at the following level(s):
- a. ☐ an individual technology plan for using the services requested in this application; and/or
- b. ☒ higher-level technology plan(s) for using the services requested in this application; or
- c. ☐ no technology plan needed; applying for basic local, cellular, PCS, and/or long distance telephone service and/or voice mail only.
27. ☒ I certify that I posted my Form 470 and (if applicable) made my RFP available for at least 28 days before considering all bids received and selecting a service provider. I certify that all bids submitted were carefully

471 Information

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considered and the most cost-effective service offering was selected, with price being the primary factor considered, and is the most cost-effective means of meeting educational needs and technology plan goals.



- ☒ I certify that the entity responsible for selecting the service provider(s) has reviewed all applicable FCC, state, and local procurement/competitive bidding requirements and that the entity or entities listed on this application have complied with them.
29. ☒ I certify that the services the applicant purchases at discounts provided by 47 U.S.C. Sec. 254 will be used solely for educational purposes and will not be sold, resold, or transferred in consideration for money or any other thing of value, except as permitted by the Commission's rules at 47 C.F.R. Sec. 54.504(k). Additionally, I certify that the eligible entity has not received anything of value or a promise of anything of value, other than services and equipment requested under this form, from the service provider(s) or any representative or affiliate of the provider(s) in connection with this request for services.
- ☒ I certify that I and the entity(ies) I represent have complied with all program rules and I acknowledge that failure to do so may result in denial of discount funding and/or cancellation of funding commitments. This acknowledgment covers all of the services listed on this Form 471 except for the services provided to non-commercial entities. I acknowledge that failure to comply with these rules could result in civil or criminal prosecution by the appropriate law enforcement authorities.
- ☒ I acknowledge that the discount level used for shared services is conditional, for future years, upon ensuring that the most disadvantaged schools and libraries that are treated as sharing in the service, receive an appropriate share of benefits from those services.
- ☒ I certify that I will retain required documents for a period of at least five years after the last day of service delivered. I certify that I will retain all documents necessary to demonstrate compliance with the statute and Commission rules regarding the application for, receipt of, and delivery of services receiving schools and libraries discounts, and that if audited, I will make such records available to the Administrator. I acknowledge that I may be audited pursuant to the provisions in the schools and libraries program.
- ☒ I certify that I am authorized to order telecommunications and other supported services for the eligible entity(ies) listed on this application. I certify that I am authorized to submit this request on behalf of the eligible entity(ies) listed on this application, that I have examined this request, that all of the information on this form is true and correct to the best of my knowledge, that the entities that are receiving discounts pursuant to this application have complied with the terms, conditions and purposes of this program, that no kickbacks were paid to anyone and that false statements on this form can be punished by fine or forfeiture under the Communications Act, 47 U.S.C. Secs. 502, 503(b) or fine or imprisonment under the Title 18 of the United States Code, 18 U.S.C. Sec. 1001 and civil violation of the False Claims Act.
34. ☒ I acknowledge that FCC rules provide that persons who have been convicted of criminal violations or held civilly liable for certain acts arising from their participation in the schools and libraries support mechanism are subject to suspension and debarment from the program. I will institute reasonable measures to be informed and will notify USAC should I be informed or become aware that I or any of the entities listed on this application, or any person associated in any way with my entity and/or entities listed on this application, is convicted of a criminal violation or held civilly liable for acts arising from their participation in the schools and libraries support mechanism.
36. ☒ I certify that if any of the Funding Requests on this Form 471 are for discounts for products or services that contain both eligible and ineligible components, that I have allocated the cost of the contract to eligible and ineligible companies as required by the Commission's rules at 47 C.F.R. Sec. 54.504(g)(1),(2).
38. ☒ I certify that this funding request does not constitute a request for internal connections services, except basic maintenance services, in violation of the Commission requirement that eligible entities are not eligible for such support in the first five funding years beginning with Funding Year 2005 as required by the Commission's rules at 47 C.F.R. Sec. 54.506(c).
37. ☒ I certify that the non-discounted portion of the costs for eligible services will not be paid by the service provider. The portion of the cost of the service that is not paid by the service provider on this Form 471 are net of any rebates or discounts offered by the service provider. I acknowledge that, for the purpose of this rule, the portion, by the provider of a supported service, of free services or products unrelated to the supported service or product constitutes a rebate of some or all of the cost of the supported services.

38. Signature of authorized person

39. Signature Date 2/16/06

The Americans with Disabilities Act, the Individuals with Disabilities Education Act and the Rehabilitation Act may impose obligations on entities to make the services purchased with these discounts accessible to and usable by people with disabilities.

NOTICE: Section 54.504 of the Federal Communications Commission's rules requires all schools and libraries ordering services that are eligible for and seeking universal service discounts to file this Services Ordered and Certification Form (FCC Form 471) with the Universal Service Administrator, 47 C.F.R. § 54.504. The collection of information stems from the Commission's authority under Section 254 of the Communications Act of 1934, as amended, 47 U.S.C. § 254. The data in the report will be used to ensure that schools and libraries comply with the competitive bidding requirement contained in 47 C.F.R. § 54.504. All schools and libraries planning to order services eligible for universal service discounts must file this form themselves or as part of a consortium.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The FCC is authorized under the Communications Act of 1934, as amended, to collect the information we request in this form. We will use the information you provide to determine whether approving this application is in the public interest. If we believe there may be a violation or a potential violation of any applicable statute, regulation, rule or order, your application may be referred to the Federal, state, or local agency responsible for investigating, prosecuting, enforcing, implementing the statute, rule, regulation or order. In certain cases, the information in your application may be disclosed to the Department of Justice or a court or adjudicative body when (a) the FCC; or (b) any employee of the FCC; or (c) the United States Government is a party of a proceeding before the body or has an interest in the proceeding. In addition, consistent with the Communications Act of 1934, FCC regulations and orders, the Freedom of Information Act 5 U.S.C. § 552, or other applicable law, information provided in or submitted with this form or in response to subsequent inquiries may be disclosed to the public.

If you owe a past due debt to the Federal government, the information you provide may also be disclosed to the Department of the Treasury Financial Management Service, other Federal agencies and/or your employer to offset your salary, IRS tax refund or other payments to collect that debt. The FCC may also provide the information to these agencies through the matching of computer records when authorized.

If you do not provide the information we request on the form, the FCC may delay processing of your application or may return your application without action.

The foregoing Notice is required by the Paperwork Reduction Act of 1995, Pub. L. No. 104-13, 44 U.S.C. § 3501, et seq.

Public reporting burden for this collection of information is estimated to average 4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, completing and reviewing the collection of information. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the reporting burden to the Federal Communications Commission, Performance Evaluation and Records Management, Washington, DC 20554.

Please submit this form to:

**SLD-Form 471
P.O. Box 7026
Lawrence, Kansas 66044-7026**

**For express delivery services or U.S. Postal Service, Return Receipt Requested,
mail this form to:**

**SLD Forms
ATTN: SLD Form 471**

471 Information

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3833 Greenway Drive
Lawrence, Kansas 66046
(888) 203-8100

Print

Previous

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Schools and Libraries Universal Service Program

Services Ordered and Certification Form 471

Application Display

Block 1: Billed Entity Information

Applicant's Form Identifier: P471-5

471 Application Number: 312157

Cert. Postmark Date: 01/15/2002

Out of Window Letter Dale: Not applicable

Funding Year: 07/01/2002 -
06/30/2003

Billed Entity Number:
128269

Form Status: CERTIFIED-In Window RAL Date: 02/06/2002

Name: FOLK COUNTY SCHOOL DISTRICT

Address: SCHOOL DRIVE

City: BENTON State: TN Zip: 37307 0000

Contact Name: Randolph E. Buehler Sr

Address: SCHOOL DRIVE

City: BENTON State: TN Zip: 37307 0000

Type of Application: SCHOOL DISTRICT

Ineligible Orgs: N

Block 3: Impact of Services Ordered in THIS Application

Number of students to be served: 2431

Number of library patrons to be served:

	BEFORE ORDER	AFTER ORDER
a. (Schools/districts/consortia only) Telephone service: How many classrooms had phone service before and after your order?	44	76
b. Internet access (for schools): How many rooms have Internet access before and after your order?	153	18
c. Internet Access: How many computers (or Other devices) with Internet access before and after your order?	584	700

Block 4: Worksheets

Worksheet A No: 378615

Student Count: 2431

Weighted Product (Sum. Column 8): 1638.1

Shared Discount: 67%

1. School Name: BENTON ELEMENTARY SCHOOL

2 Entity Number: 41255 3. Rural/Urban: Rural

4 Student Count: 699 6 NSLP Students: 269 6 NSLP Students/Students: 38.483%

7. Discount: 70% 8 Weighted Product: 489.3

1. School Name: COPPER BASIN HIGH SCHOOL

2 Entity Number: 41283 3. Rural/Urban: Rural

4 Student Count: 300 5. NSLP Students: 144 6 NSLP Students/Students: 48.000%

7. Discount: 70% 8 Weighted Product: 2

1. School Name: DUOKTOWN ELEMENTARY SCHOOL

2 Entity Number: 41340 3. Rural/Urban: Rural

4 Student Count: 265 6 NSLP Students: 147 6 NSLP Students/Students: 55.471%

7. Discount: 80% 8 Weighted Product: 212

1. School Name: POLK COUNTY HIGH SCHOOL

2 Entity Number: 41254 3. Rural/Urban: Rural

4 Student Count: 518 6 NSLP Students: 96 6 NSLP Students/Students: 18.532%

7. Discount: 50% 8 Weighted Product: 259

1. School Name: SOUTH POLK ELEMENTARY SCHOOL

2 Entity Number: 41366 3. Rural/Urban: Rural

4 Student Count: 514 6 NSLP Students: 227 6 NSLP Students/Students: 44.163%

7. Discount: 70% 8 Weighted Product: 359.8

1. School Name: TURTLETOWN ELEMENTARY SCHOOL

2 Entity Number: 41425 3. Rural/Urban: Rural

4 Student Count: 135 6 NSLP Student: 88 6 NSLP Students/Students: 65.185%

7. Discount: 80% 8 Weighted Product: 108

Block 5: Discount Funding Request(s)

FRN: 815946 FCDL Date:	
11. Category of Service: Telecommunications Service	12. 470 Application Number: 337830000398003
13. SPIN: 143004824	14. Service Provider Name: BellSouth Telecommunications, Inc.
15. Contract Number: 2002-5-700	16. Billing Account Number: 423-338-4506
17. Allowable Contract Date: 01/10/2002	18. Contract Award Date: 01/10/2002
19a. Service Start Date: 07/01/2002	19b. Service End Date:
20. Contract Expiration Date: 06/30/2007	
21. Attachment #: 1-Local Service	22. Block 4 Worksheet No.: 378615
23a. Monthly Charges: \$1,871.00	23b. Ineligible monthly amt.: \$00
23c. Eligible monthly amt.: \$1,871.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d): \$22,452.00	
23f. Annual non-recurring (one-time) charges:	23g. Ineligible non-recurring amt.: \$00

\$0.00	I
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g):	\$0.00
23i. Total program year pre-discount amount (23e + 23h):	\$22,452.00
23j. % discount (from Block 4):	67
23k. Funding Commitment Request (23i x 23j):	\$15,042.84

FRN: 815958	FCDL Date:
11. Category of Service: Telecommunications Service	12. 470 Application Number: 337930000399003
13. SPIN: 143000677	14. Service Provider Name: Celco Partnership dba Verizon Wireless
15. Contract Number: 2002-5-700	16. Billing Account Number: 34102665-222157
17. Allowable Contract Date: 01/10/2002	18. Contract Award Date: 01/10/2002
19a. Service Start Date: 07/01/2002	19b. Service End Date:
20. Contract Expiration Date: 06/30/2007	
21. Attachment #: 2	22. Block 4 Worksheet No.: 378615
23a. Monthly Charges: \$517.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$517.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d):	\$6,204.00
23f. Annual non-recurring (one-time) charges:	23g. Ineligible non-recurring amt.: \$0.00
\$0.00	
23h. Annual pre-discount amount for eligible non-recurring charges (23f - 23g):	\$0.00
23i. Total program year pre-discount amount (23e + 23h):	\$6,204.00
23j. % discount (from Block 4):	67
23k. Funding Commitment Request (23i x 23j):	\$4,156.68

Service	
13. SPIN: 143001192	14. Service Provider Name: AT&T Corp.
15. Contract Number: MTM	16. Billing Account Number: 423-338-4500
17. Allowable Contract Date: 01/10/2002	18. Contract Award Date:
19a. Service Start Date: 07/01/2002	19b. Service End Date: 06/30/2003
20. Contract Expiration Date:	
21. Attachment #: 3-Long distance	22. Block 4 Worksheet No.: 378615
23a. Monthly Charges: \$550.00	23b. Ineligible monthly amt.: \$0.00
23c. Eligible monthly amt.: \$550.00	23d. Number of months of service: 12
23e. Annual pre-discount amount for eligible recurring charges (23c x 23d):	\$6,600.00
23f. Annual non-recurring (one-time) charges:	23g. Ineligible non-recurring amt.: \$0.00
23h. Annual pre-discount amount for eligible non-recurring charges:	
23i. Total program year pre-discount amount (23e + 23h):	\$6,600.00
23j. % discount (from Block 4):	67
23k. Funding Commitment Request (23i x 23j):	\$4,422.00

471 Information

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Blk 6 Certifications and Signature

24a. ☒ Y
 24b. Libraries or Library Consortia: N
 26a. ☐ High Level Technology Plan: N
 26b. ☐ High Level Technology Plan: N
 26c. No Technology Plan Needed: Y
 26d. ☐ State Approved Technology Plan: N
 26e. ☐ No Technology Plan Needed: Y



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Schools and Libraries Division

Jan 15,2007

Laura Barnett

POLK COUNTY SCHOOL DISTRICT

Telephone:

(423)3384506

Application Number

524456

Response Due Date: 1/30/2007

The Program Integrity Assurance (PIA) team is in the process of reviewing all Funding Year 2006 Form 471 applications for schools and libraries discounts to ensure that they are in compliance with the rules of the Universal Service program. We are currently in the process of reviewing your Funding Year 2006 Form 471 Application. To complete our review we need some additional information. The information needed to complete the Review is listed below.

The Contract Award Date ("CAD") of 6/18/2004 for FRN 1474297
<<http://172.17.24.80/A-STARs/exceptions/redirect471.asp?frn=1474297&appid=524456>> is more than eighteen months after the Allowable Contract Date ("ACD") of 1/10/2002 for the referenced Form 470 337930000399003
<<http://172.17.24.80/A-STARs/exceptions/redirect.asp?appid=399003>> .
Please provide a rationale summarizing the reason for this time lag.

Response: Please see attached contract. Due to a clerical error, we entered the wrong Form 470 and contract information. Please see attached corrected Block 5 information.

Please provide a copy of the full contract, signed and dated by both parties, to support the funding request. If the contract is a State Master Contract, you do not have to submit a copy of the signed contract if that contract is available online or has already been submitted to PIA.

Please provide us with the contract name and number of the State Master Contract. If you have already submitted the relevant contract information in connection with another review, please provide the Form 471 application number involved so that we can locate the documentation in our files.

Response: Please see a copy of the signed contract. Please let me know if you have any further questions.

Additionally, please verify if the referenced Form **470** is the **establishing** Form **470** for the services to the entity on this Form **471**. If the referenced Form 470 is NOT the establishing Form 470, please provide the 15-digit Form 470 Number that did establish the bidding for the FRN.

The establishing Form 470 is the **specific** Form **470**, which was posted for that particular service for 28 days, and pursuant to which a contract was signed or an agreement was entered into. For a request in the Basic Maintenance service category, it is possible that the establishing **470** was filed under an Internal Connections service category. The establishing **470** could have been posted by the State, if the requested services are being purchased off of a State Master Contract.

Response: The correct Form **470** application number is **337930000399003** with an allowable contract date of **1/10/2002**.

Please fax or e-mail the requested information to my attention. If you have any questions, please feel free to contact me.

It is important that we receive all of the information requested within 15 calendar days so we can complete our review. Failure to do so may result in a reduction or denial of Funding. If you need additional time to prepare your response, please let me know as soon as possible.

Please advise me if the Contact Person on the application(s) has changed from that on the original application. This change must include the Form **471** application number(s) and be signed by the original application's Contact Person, the original application's Authorized Person or a school official (with name and title provided).

Response: The correct contact person is Laura **Barnett**.

Should you wish to cancel this Form **471** application, or any of your individual Funding requests, please clearly indicate in your response that it is your intention to cancel an application or funding request(s); along with the application number and/or funding request number(s), and the complete name, title and signature of the authorized individual.

Response: Please allow **us** to change the Form **470** number and contract information. We do not wish to cancel this Form 471.

Thank you for your cooperation and continued support of the Universal Service program.

Sincerely

Mane C. Thomas

Associate Manager-PIA Reviewer

Schools and Libraries Division

Phone: 973-581-5046

Fax: 973-599-6522

Email: mthomas@sl.universalservice.org

From "Laura Barnett" <barnettl@k12tn.net>
Subject Re: **ERate App# 524456**
Date Tue, January 23, 2007 12:03 pm
To "Thomas, Marie" <MTHOMAS@sl.universalservice.org>

Dear Ms. Thomas,

We are currently working with BellSouth to obtain a copy of our 2002 contract. All we have from them so far is a copy of the extension signed in 2005. Please grant us a 10 day extension of the January 30 deadline so we may continue to work with BellSouth.

Thank you!

Laura Barnett

> To Laura Barnett

>

> Please see the attached file regarding your E-Rate application.

>

> Sincerely

>

>

>

> Marie C. Thomas

>

> Associate Manager-PLA Reviewer

>

> Schools and Libraries Division

>

> Phone: 973-581-5046

>

> Fax: 973-599-6522

>

> Email: mthomas@sl.universalservice.org

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> Confidentiality Notice: The information in this e-mail and any attachments
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> sender via return e-mail; delete this e-mail and all attachments from your
> e-mail system and your computer system and network; and destroy any paper
> copies you may have in your possession. Thank you for your cooperation.

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Laura Barnett

Polk County Department of Education

Apr. 4, 2007 1:36PM POLK CO DEPT OF ED

1387 P. 24

This contract executed on (date) 1/13/2007

Contract # 2006-5-Top
(Insert Budget system number above)

This contract executed on (date) 1/13/2007 between Polk County Schools
hereinafter referred to as "Tennessee School System" and David Ford hereinafter referred to as "Contractor", and is in effect for the period of (ten (5) years, July 1, 2007 through June 30, 2007.

Tennessee School System agrees to provide local telephone service as defined in Tennessee's Tennessee General School System (T.G.S.S.) "A" Plan and subject to change at the rates defined in the G.S.S.T. "A" Plan. All taxes and conditions specified in the T.G.S.S. are made as part of this contract.

This contract will be null and void if funds for these services are not appropriated in the budget approved for the Tennessee School System for any fiscal year.

This contract is null and void if the Tennessee School System's proposal to the Federal Communications Commission is not accepted as eligible for the Universal Service Education Rate discount program.

AGREED TO:

Tennessee School System:

Polk County School District

Address:

131 STEPHENS DR

City, State, and Zip Code:

RENTON, TN 37307

Signature of Authorized Person:

William C. Wagon

Title of Authorized Person:

Supt. Polk County Schools

Printed Name of Authorized Person:

WILLIAM C. WAGON

For David Ford Contractor

Contract #
2006-5-Top
Mesa, TN 38116

Address:

Signature of Authorized Person:

D. Ford

Title of Authorized Person:

Be. Rep

Printed Name of Authorized Person:

DAVID FORD

NOTE: THIS IS A DUPLICATE COPY OF
ORIGINAL CONTRACT SIGNED 1-13-2007

70: JILL SWAFFORD

William C. Wagon
2-13-07

423
338-2691
423-338-4506